

**UNITED STATES DISTRICT COURT**  
 for the  
 Southern District of Ohio

<u>CHARLES GAYHEART,</u> <i>Plaintiff</i> v. <u>Commissioner of Social Security</u> <i>Defendant</i>	)	)
	)	Civil Action No. 3:10-cv-401
	)	

**JUDGMENT IN A CIVIL ACTION**

The court has ordered that (*check one*):

- the plaintiff (*name*) \_\_\_\_\_ recover from the defendant (*name*) \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_\_ %, along with costs.
- the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) \_\_\_\_\_ recover costs from the plaintiff (*name*) \_\_\_\_\_.
- other: Judgment in favor of Plaintiff; and The ALJ's non-disability finding, adverse to Plaintiff, is found unsupported by substantial evidence, and is REVERSED. This matter is REMANDED to the ALJ under the Fourth Sentence of 42 U.S.C. § 405(g) for proceedings consistent with the Sixth Circuit's opinion.

This action was (*check one*):

- tried by a jury with Judge \_\_\_\_\_ presiding, and the jury has rendered a verdict.
- tried by Judge \_\_\_\_\_ without a jury and the above decision was reached.
- decided by Judge Thomas M. Rose \_\_\_\_\_ on a motion for \_\_\_\_\_.

Date: \_\_\_\_\_ 05/13/2013

*CLERK OF COURT*

s/P. Butler  
*Signature of Clerk or Deputy Clerk*

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
Western Division

<u>CHARLES GAYHEART,</u>	:
<i>Plaintiff</i>	:
vs	:
<u>Commissioner of Social Security</u>	: Case Number: 3:10-cv-401
<i>Defendant</i>	:

NOTICE OF DISPOSAL PER SOUTHERN DISTRICT OF OHIO LOCAL RULES  
79.2(a)&(b)

The above captioned matter has been terminated on 05/13/2013.

If applicable to this case, the disposal date will be six (6) months from the above termination date.

Rule 79.2(a) Withdrawal by Counsel:

All depositions, exhibits or other materials filed in an action or offered in evidence shall not be considered part of the pleadings in the action, and unless otherwise ordered by the Court, shall be withdrawn by counsel without further Order within six (6) months after final termination of the action.

Rule 79.2 (b) Disposal by the Clerk

All depositions, exhibits or other materials not withdrawn by counsel shall be disposed of by the Clerk as waste at the expiration of the withdrawal period.

JOHN P. HEHMAN, CLERK

By: s/P. Butler  
Deputy Clerk